

# Photographic images of children

## Guidance for schools

### 1. Introduction

The purpose of this document is to provide schools with general guidance and examples of good practice on the appropriate use of photographic images of children. This includes still photography, video and digital images. When using such images schools need to have regard to the law whilst protecting the safety of children.

**The Data Protection Act 1998 does not prevent individual parents or carers from photographing or filming their children at school events. There is also an exemption with regard to media coverage and occasionally images of pupils may appear in local or national newspapers or on television.**

Legislation gives people the right to privacy and schools must make every effort to respect this when taking and displaying images.

### 2. Good practice

A common sense approach should be used with regard to the use of cameras/videos at school events, which include school performances, sports days, school trips and assemblies.

In trying to ensure that the use of photography and digital recording is safe, the following advice represents examples of good practice:

- Always ask parents or carers to give permission for their child to be photographed whilst in school and/or involved in school activities.
- Reassure parents/carers that photography/recording will only take place in designated and adequately supervised areas, i.e. not backstage at a production where children might be changing, or in changing rooms prior to a sporting event.
- Follow the commitment stated on the consent form.
- Advise parents if media coverage is expected.
- Ensure all children are appropriately dressed and suitably supervised.
- Avoid naming individual children in full.
- Avoid images of an individual child with no surrounding context.
- Avoid using images of a child who is considered or known to be vulnerable unless specific permission is given.
- Try to represent the diversity of the pupils in the school.
- Do not use images likely to cause distress or embarrassment to the child or parent.
- Be aware of children's safety and challenge and report any inappropriate photography or intrusive photography.
- Ask parents/carers using a video camera not to obscure the view of others.
- Avoid using photographs of children after they have left the school.
- Review images regularly and delete/destroy any unwanted material.

### **3. Consent**

Always obtain the permission of parents/carers to use their child's image. An example of a consent form is attached as Appendix 1. Once obtained, permission could be valid for the whole time that the child is on roll at that particular school, or for a specified period. Such a consent form could be included in admission packs.

When a child attends secondary school, in addition to obtaining permission from parents/carers, be aware that as a child matures s/he may object to the use of his/her image. If this is the case you should respect the rights of the individual.

It would be good practice to include information regarding the school's policy on the use of children's images in the school prospectus and that parents/carers will be asked to give their consent to this when their child is admitted to school.

In cases where a parent/carer does not agree to their child being photographed, staff must be informed and every effort made to comply with this wish. This can be very difficult to achieve on occasions, especially if the pupil is involved in a team sporting event. Parents/carers may well accept an exception in such cases if a compromise can be agreed, e.g. not including names of the pupils.

### **4. Media coverage**

Images taken for the purpose of journalism are exempt from the Data Protection Act. However, those children whose parents/carers have refused permission for their child's image to be used in such a way would need to be excluded from media coverage. In any event, to reduce the risk of images being used inappropriately, ensure that children are suitably dressed. For example, don't allow photographs of children in swimming costumes.

### **5. School websites**

We would recommend that schools avoid using personal information relating to an individual child or adult. Never include addresses, phone numbers or email addresses. Preferably, refer to children by their first names only.

The following website gives schools useful information on e-safety:  
<http://www.saferinternet.org/web/guest/safety-issues>

### **6. Webcams**

The use of webcams is covered by data protection requirements. The area where the webcam is being used must be clearly marked and people must be told of its existence and purpose. Parents/carers must give permission for their child to be involved in web cam use.

### **7. Children photographing each other**

There may be occasions, particularly on school trips, where children take inappropriate photographs of their friends. This should be discouraged and for this reason, the use mobile phones with cameras should not be permitted in changing rooms, toilets, etc.

## PHOTOGRAPHY PERMISSION FORM

As part of our communications activity, XXXXXXX School and Milton Keynes Council occasionally uses photography for publicity purposes. We would like your permission to photograph/film you/your relative for possible inclusion in our publications, website and other publicity material. The images/video may also be included in the school's image library as well as the central Milton Keynes Council image library for use by other Milton Keynes Council practitioners.

The school and council will ensure as far as possible that images are not used inappropriately but by signing this permission form you accept that should this happen the school and council do not accept responsibility. You/your relative's contact details will remain strictly confidential.

Name:

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Address:

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Contact number:

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E-mail address:

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If the participant is under 16 years old, please give date of birth of individual and name and contact details for parent/guardian:

Date of birth:

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Name of parent/guardian:

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Contact number:

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I permit XXXXXXX School and Milton Keynes Council, to use photographs of me/my relative in school and Milton Keynes Council publications and publicity material, and for inclusion in the school and central Milton Keynes Council image library without compensation to me. I waive any right to approve the finished photograph or any copy which might be used in conjunction with the finished photograph.

Signed: ..... Date: .....

***(must be signed by parent/guardian if individual is under 16 years old)***

***For internal use:***

**Photographer:**

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Date: ..... Location: .....

Subject:

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Copyright:

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